

Serial No.: 10/616,474  
Art Unit: 3711

REMARKS

Remarks

Reconsideration of the rejection of the present application under 35 USC 102 and 35 USC 103 is hereby requested.

Claims 1-18 stand objected to because of informalities in claims 1 and 10. Those informalities have been corrected in claim 1. Claims 10 – 18 stand cancelled.

Claims 1 –12 stand rejected under 35 USC 102(b) in view of the '039 reference to Hewlett, Jr. Applicant has amended independent claim 1 to overcome such rejection in a manner not shown or suggested by the references. Applicant's outer tetrahedral and octahedral members (third set) are now properly identified as captured only by the second radially outwardly disposed set of octahedral components and not interacting with the inner core tetrahedral components to provide a more "robust" means of attachment advantageous in the manufacture and manipulation of the puzzle assembly. (For example, figure 5 of the Hewlett Jr. reference shows a rather fragile component arrangement).

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The '377 Ashley reference relevance to claims 3 – 7 and 13 - 18 is also overcome by Applicant's amendment to claim 1, though such reference is deemed moot in view of such amendment to independent claim 1.

Thus, since independent claim 1 has been amended to overcome the rejection under 35 USC 102, it is now believed to be allowable. The claims depending therefrom, depending upon a deemed allowable independent claim are thus themselves deemed allowable as well. Claims 10 – 18 having been cancelled are thus removed from this application and no longer need be considered.

Passage to allowance of the claims remaining in this application is earnestly solicited.

Should the Examiner believe that any issue remains unresolved, the Examiner is invited to call the undersigned for a discussion of same.

Respectfully submitted,  
  
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